IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.20140 of 2003

Between:

1 B.Pentaiah, S/o. Ramaiah, Aged 55 years, Business,
r/o. H.No.7-192, Sangareddy Town, Medak Dist.
2 Smt. B.Aushamma w/o. Pentaiah, aged 50 years, House-wife,
3 B.Balraju s/o. B.Pentaiah, aged 36 years, Business,
4 Jalagari Laxmaiah s/o. Ramaiah, aged 64 years, Retd.Employee,
5 Gangyada Ashaiah s/o. Balaiah, aged 67 years, Agriculturist,

All are residents of H.No.7-192, Sangareddy Town, Medak District.

..... PETITIONERS

AND

1 The Commissioner, Municipal Council, Sangareddy, Medak District.
2 The Special Officer-cum-Collector, Sangareddy Municipality,

Medak District.

3 Director of Town and Country Planning, Government of A.P.,

A.C. Guards, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, of Mandamus, declaring the action of the Municipality in not taking into account the notice dt.12-9-2003 issued on the basis of the permission deemed to have been given to the petitioners and further making attempts to demolish the structures, interfering with the construction over the land totally admeasuring 610 Sq.No.213, situated at Kalvakuntla village, Sangareddy Taluk, Medak District, as illegal, arbitrary and contrary to the provisions of A.P. Municipalities Act and consequently direct the respondent Municipality not to interfere or demolish the structures raised and existing over the above said land, and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the

case.

Counsel for the Petitioner: MR.MOHD.YASEEN ALI

Counsel for the Respondent No.1: MR.R.TIMMA REDDY

Counsel for the Respondent Nos.2 and 3: NONE APPEARED

The Court made the following:

ORDER:

Apprehending that the first respondent might take steps for demolishing the structures allegedly constructed by the petitioner in the land admeasuring 610 Sq. yards in Survey No.213 of Kalvakuntla village in Sangareddy Taluk of Medak District, the petitioners filed the present writ petition seeking direction to the respondents not to interfere or not to demolish the structures. This Court ordered Rule Nisi on 23.1.2004 and directed the respondents to file affidavit.

Though the interlocutory application being WPMP No.25232 of 2003 is listed, the writ petition itself is finally heard and being disposed of at the interlocutory stage with the consent of the learned Counsel for the petitioners and learned Standing Counsel for Sangareddy Municipality.

Today, when the WPMP is called, the learned Counsel for the first respondent submits that Sangareddy Municipality has not initiated any action and that the writ petition is filed on mere apprehension. In that view of the matter, no relief can be granted to the petitioner.

The writ petition is accordingly dismissed.

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October 13, 2004. **V.V.S. RAO, J**

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To

1 The Commissioner, Municipal Council, Sangareddy, Medak District.
2 The Special Officer-cum-Collector, Sangareddy Municipality,

Medak District.

3 The Director of Town and Country Planning, Government of A.P.,

A.C. Guards, Hyderabad.

4 Two C.D. Copies.